

Stricken language would be deleted from and underlined language would be added to the law as it existed prior to this session of the General Assembly.

State of Arkansas

As Engrossed: H3/17/03

84th General Assembly

A Bill

Act 870 of 2003

Regular Session, 2003

HOUSE BILL 2619

By: Representative Mahony

For An Act To Be Entitled

AN ACT TO AMEND THE GUIDELINES FOR THE
ARKANSAS BOARD OF EXAMINERS IN
COUNSELING FOR NAMES THAT ARE SUBMITTED
TO THE GOVERNOR FOR BOARD APPOINTMENTS;
AND FOR OTHER PURPOSES.

Subtitle

AN ACT TO AMEND THE GUIDELINES FOR
THE
ARKANSAS BOARD OF EXAMINERS IN
COUNSELING FOR NAMES THAT ARE
SUBMITTED
TO THE GOVERNOR FOR BOARD
APPOINTMENTS.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

SECTION 1. Arkansas Code § 17-27-201 is amended to read as follows:

17-27-201. Creation - Members.

(a) There is created a board to be known as the Arkansas Board of Examiners in Counseling, consisting of nine (9) members who shall be appointed by the Governor.

(b) Appointments shall be made so as to ensure that the board consists of citizens of the United States, residents of Arkansas, at least one (1) member of each sex, and at least one (1) member of an ethnic minority.

(c)(1) The composition of the board shall include:

(A)(i) Six (6) licensed or licensable counselors, three (3) who are practicing counselors, and three (3) who are counselor educators or supervisors, one (1) of the

1 six (6) whom shall also be a licensed marriage and family therapist, if available.

2 (ii) These members shall be appointed from a list submitted to the
3 Governor not later than November 1 of each year by the Executive Committee of the Arkansas
4 Counseling Association, or the Executive Committee of the Arkansas Mental Health Counselors
5 Association;

6 (B)(i) One licensed marriage and family therapist.

7 (ii) This member shall be appointed from a list submitted to the
8 Governor not later than November 1 of each year by the Board of Directors of the Arkansas
9 Association for Marriage and Family Therapists;

10 (C)(i) One (1) member from the general public who is not licensed or
11 licensable, and not actively engaged in or retired from the profession of counseling who shall
12 represent consumers.

13 (ii) This member shall be appointed from a list submitted to the
14 Governor not later than November 1 of each year by the Executive Committee of the Arkansas
15 Counseling Association, or the Executive Committee of the Arkansas Mental Health Counselors
16 Association; and

17 (D)(i) One (1) member who shall represent the elderly.

18 (ii) This member shall be sixty (60) years of age or older and not
19 actively engaged in or retired from the profession of counseling.

20 (iii) He or she shall be appointed from the state at large subject to
21 confirmation by the Senate and shall be a full voting member but shall not participate in the
22 grading of examinations.

23 (2) The same person may not be both the consumer representative and the
24 representative of the elderly.

25 (d) Board members shall be appointed for three-year terms.

26 (e)(1) Vacancies for the unexpired terms of the professional members and the consumer
27 member shall be filled by the Governor from candidates submitted within thirty (30) days of the
28 vacancy by the Executive Committee of the Arkansas Counseling Association, or the Executive
29 Committee of the Arkansas Mental Health Counselors Association, and the Board of Directors of
30 the Arkansas Association for Marriage and Family Therapists.

31 (2) The appointments shall be made within thirty (30) days after the candidates'
32 names have been submitted.

33 (f) Any board member may be removed by the Governor after written notice and a
34 hearing for incapacity, incompetence, neglect of duty, or malfeasance in office.

35 (g) Board members shall be ineligible for reappointment for a period of three (3) years
36 following completion of their terms.

1 (h)(1) The members shall immediately and before performing public duties take the
2 constitutional oath of office.

3 (2)(i) They shall file the oath in the office of the Governor who upon receiving it
4 shall issue to each member a certificate of appointment.

5 ~~(i)~~(ii) Each member may receive expense reimbursement in
6 accordance with § 25-16-901 et seq., provided that the expenses shall in no case exceed funds
7 available to the board.

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9 /s/ Mahony

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12 **APPROVED: 3/31/2003**
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